



STATE OF MARYLAND

DHMH

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Maryland Interpretive Memorandum

HO Memo #EH 10-001

To: Health Officers
Environmental Health Directors/Food Program Supervisors/Sanitarians

From: Clifford S. Mitchell, MS, MD, MPH, Acting Assistant Director/
Director Environmental Health and Food Protection

Date: August 4, 2010

Subject: Retail Door to Door Meat Sales

The intent of this memorandum is to clarify the roles of the State and local health jurisdictions regarding retail frozen meat sales from freezer trucks or trucks and vans containing frozen storage units. Pursuant to the definitions at Md. Code Ann., Health-General Section 21-301 and COMAR 10.15.03.02 and 10.15.04.02, for Capital Meats and other similar operations, the frozen food depots in Maryland are food processing plants, which will continue to be licensed by the Maryland State Department of Health and Mental Hygiene, Office of Food Protection and Consumer Health Services. However, the freezer trucks and trucks and vans involved in the retail selling operations are special food service facilities, which must be licensed as such by the local jurisdiction in which they are operated.

The mobile special food service vehicles, from which meat is sold that is in its original packaging, are therefore subject to the requirements of COMAR 10.15.03.25A and C. Thus, a frozen storage unit on these vehicles must be in compliance with the requirements of COMAR 10.15.03.15, in that it either meets one of the design standards of COMAR 10.15.03.15A(1), or is otherwise durable commercial equipment that meets the requirements specified in COMAR 10.15.03.15 B (which includes the requirements specified in COMAR 10.15.03.15A(3)-(11)). In addition, the food in the frozen storage unit must have been frozen when it was put in the unit and must be stored frozen, as required by COMAR 10.15.03.06B(12). In order to assure that frozen meat has remained frozen during transportation pursuant to COMAR 10.15.03.06D(3), an automatic recording thermometer is strongly recommended. However, manual recording of the ambient air temperature in the freezer is allowed as long as the temperature is manually checked at least once every 4 hours, and temperature logs are maintained. If inspections indicate that temperature logs are not being properly maintained, an automatic recording thermometer should be required for the freezer.

Written procedures are required for maintaining logs and specifying the corrective actions that will be taken if temperature deviation occurs due to the breakdown of a truck or freezer.

In addition to the mobile special food service facility license, the van and truck operations may be subject to certain other county permits. Vehicles without the required permits will be subject to the applicable enforcement actions.

To assist with the regulation and inspection of the mobile units, the Department will continue to inspect any vehicles that are present during routine inspections of the warehouse. The Department will review temperature logs and licenses from the local jurisdictions in which the vehicles are operating. Any questions regarding this document should be directed to the Center for Retail Food, Plan and Process Reviews at (410) 767-8400.

Cc: Helen E. Bowlus
Assistant Attorney General